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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,983	06/29/2001	James R. Busic	1397/003	9277

7590 11/16/2004

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EXAMINER

TRAN, MYLINH T

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/895,983	BUSIS ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Mylinh T Tran	2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on election filed 08/02/04.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-53 and 66-84 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-53 and 66-84 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 29 June 2001 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_ .  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_ .

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-53 and 66-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kraemer [US. 6,490,602] in view of Robertson [US. 6,609,106].

As to claims 1, 13, 40, 47 and 69, Kraemer discloses a computer implemented method and corresponding apparatus for maintaining a plurality of lists comprising the steps/means for a server for receiving data relating to one or more desired items over an electronic network from each of plurality of users (column 2, lines 33-50 and column 3, lines 1-8); a data storage device coupled to said server for retrievably storing said data relating to said one or more desired items received from each of said plurality of users (column 2, lines 34-50 and column 3, lines 32-40, a data storage device couple to the server in order for the user retrieves data information of each product); said server, in response to a request from one of the users, causing to display a listing of one or more desired items included on the list associated with one of the users (column 4, lines 22-32) and in response to a

request from said one of said users to add to the list associated with said one of said users an item shown in a web page and causing to copy a uniform resource locator used to identify said web page from said web page to said list window (column 3, lines 33-52) and the item shown in a web page having a known template structure being displayed in a first window on said client device, locating certain preselected information in the web page based on said known template structure (column 3, lines 10-20). The difference between the claim and Kraemer is a list window to display desired items on a client device. Robertson shows the feature at figures 11 and 28, column 17, line 55 through column 18, line 20. It would have been obvious to one of ordinary skill in the art, having the teachings of Kraemer and Robertson before them at the time the invention was made to modify the items being stored over the server taught by Kraemer to include the displaying of the desired items in the client device application window of Robertson, in order to enable users to capture their desires and helps to facilitate fulfillment of these desires as taught by Robertson.

As to claims 2, 14 and 27, Robertson also discloses an instruction causing the client device to request the user to choose a first window from listing of the plurality of windows (figures 28-37, column 17, line 55 through column 18, line 35).

As to claims 3, 15 and 28, Robertson shows the plurality of windows comprising a list of uniform resource locators (column 13, lines 35-60).

As to claims 4, 16 and 29, Kraemer also shows the server being adapted to authenticate said one of said users prior to causing said list window to open on said client device (column 6, lines 25-34).

As to claims 5, 18 and 32, Kraemer teaches the client device being adapted to enable said one of said users to input additional information relating to said item shown in said web page into said list window (column 4, lines 25-38).

As to claims 6, 19 and 33, Kraemer also teaches the client device being adapted to transmit said uniform resource locator and said additional information relating to said item shown in said web page to said server (column 3, lines 32-52).

As to claims 7, 8, 20-21, 34-35, 41-42, 48-49 Kraemer demonstrates the data storage device comprising a relational database having a first table having a plurality of first records, each of said first records being associated with one of said lists, and a second table having a plurality of second records, each of said second records being associated with one of said desired items (figure 1B, column 2, line 63 through column 3, line 8) and a new second record including said URL and said additional information relating to said item shown in said web page is created (column 4, lines 12-38).

As to claims 9, 22 and 36, Kraemer also demonstrates in response to a request from a requesting party, causes a second list to open on one of a client and said second list window being adapted to display a listing of said

one or more items included on the list associated with a selected one of said users (column 4, lines 12-38).

As to claims 10, 23 and 37, Robertson provides information may not be added to or deleted from said second list window by said requesting party (column 20, line 65 through column 22, line 15).

As to claims 11, 24 and 38, Kraemer also provides the listing displaying in said second list window including selected portions of said data relating to said one or more desired items stored in said data storage device (column 4, lines 22-39).

As to claims 12, 25, 39, 43-45 and 50-51, Kraemer discloses the selected portions of said data include one or more uniform resource locators (column 3, lines 31-67).

As to claims 17, 30-31, 46 and 52-53, Kraemer also discloses a price of said item shown in said web page, and a description of said item shown in said web page and one or more of a dollar sign followed by first text information and a body of second text information located in a center portion of said web page (column 7, lines 55-67).

As to claim 26, the claim is analyzed as previously discussed with respect to claim 1. Robertson also shows search the web page for one or more preselected patterns of information contained in the web page (column 14, lines 10-40).

As to claims 66-67, the claim is analyzed as previously discussed with respect to claims 1, 4 and 10. Robertson shows a fee to the system provider (column 12, lines 10-25).

As to claim 68, Kraemer discloses a request originates from a client device under the control of said requesting party (column 3, lines 8-40).

As to claim 70, Kraemer also shows selected pieces of information including one or more uniform resource locators, each of said URL being associated with one of said desired items includes on said selected one of said lists and wherein said listing includes one or more hyperlinks comprising said one or more uniform resource locators (column 3, lines 32-65).

As to claims 71-74, Kraemer disclose product items for sale on the Internet, it is inherent these items comprising bar code scanner for each product.

Beside, Robertson teaches the plurality of bar code scanners for collecting bar code information relating to one or more of said desired items, each of said bar code scanners being adapted to download said bar code information to one or more of said client device (column 17, line 55 through column 18, line 20).

As to claims 75-77, Robertson also discloses causing an icon to appear on said client device when said list window being obstructed, wherein activation of said icon causes said list window to become unobstructed (figure 21-22, column 20, lines 40-67).

As to claim 78-84, Robertson teaches requesting to add an item comprising activation of the icon (column 20, lines 40-67).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (571) 272-4141. The examiner can normally be reached on Monday-Thursday from 8.00AM to 6.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner 's supervisor, Heather Herndon, can be reached on (571) 242-4136.

Mylinh Tran

Art Unit 2179

BA HUYNH  
PRIMARY EXAMINER